

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, ET AL.,
Plaintiffs,

V.

ROLANDO PABLOS,¹ IN HIS OFFICIAL CAPACITY
AS THE TEXAS SECRETARY OF STATE AND
STEVEN C. MCCRAW, IN HIS OFFICIAL CAPACITY
AS THE DIRECTOR OF THE TEXAS DEPARTMENT OF
PUBLIC SAFETY,
Defendants.

No. 5:16-cv-00257

DEFENDANTS' DESIGNATION OF REBUTTAL EXPERT WITNESS

Defendants, Rolando Pablos, in his official capacity as Texas Secretary of State, and Steven C. McCraw, in his official capacity as Director of the Texas Department of Public Safety, (“Defendants”), file this designation of rebuttal expert witness pursuant to the Court’s scheduling order and Federal Rule of Civil Procedure 26(a)(2)(C).

Defendants hereby designate the following nonretained rebuttal expert witness to testify on their behalf:

Betsy Schonhoff, Voter Registration Manager
Texas Office of the Secretary of State
P.O. Box 12060
Austin, Texas 78711
Telephone: 512-463-5650

¹ When this lawsuit was filed, Carlos H. Cascos was Texas’s Secretary of State. On January 5, 2017, Rolando Pablos took over this position. Secretary Pablos is therefore now listed as the Defendant in this cause. *See* FED. R. CIV. P. 25(d), “[a]n action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The officer’s successor is automatically substituted as a party. Later proceedings should be in the substituted party’s name[.]”

Ms. Schonhoff is hereby designated as a nonretained expert and is expected to give rebuttal testimony and opinions in response to Dr. Eitan D. Hersh's expert report and proposed testimony. Ms. Schonhoff is expected to give testimony in rebuttal to the information and opinions contained throughout Dr. Hersh's expert report, including:

- a. The information SOS does and does not receive from DPS in connection with change of address and driver license renewal transactions;
- b. The information SOS does and does not receive from DPS in connection with other tasks which are not change of address and driver license renewal transactions;
- c. The ways the information referenced in Paragraphs (a) and (b), including, but not limited to, signatures and/or address information, is used, collected, and/or transmitted, and the manner in which the information referenced in Paragraphs (a) and (b), including, but not limited to, signatures and/or address information, is not used, not collected, and/or not transmitted.
- d. The ways in which individuals who renew their driver licenses or change their addresses with DPS and want to newly register to vote or want to update their voter registration information could be newly registered to vote or have their voter registration information updated.

Ms. Schonhoff's opinions and expected rebuttal testimony are based on her experience and familiarity with managing the State's voter registration information management system; her personal knowledge, gained by working as voter registration manager at the Texas Office of the Secretary of State; her review of Dr. Hersh's expert report; her review of Keith Ingram's deposition in this case; and the her review of pleadings and documents in this case including the Original Complaint.

Respectfully submitted,

KEN PAXTON

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that on this the 1st day of May, 2017 a true and correct copy of the foregoing was filed electronically with the Court causing electronic service upon all counsel of record.

/s/Anne Marie Mackin

ANNE MARIE MACKIN

Assistant Attorney General